

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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B.R.,

Plaintiff,

-against-

UNITED STATES OF AMERICA, WARDEN FRANK
STRADA, WARDEN KIMBERLY ASK CARLSON,
WARDEN HERMAN QUAY, LIEUTENANT EUGENIO
PEREZ, and JOHN DOES 1-3,

Defendants.

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WHEREAS, Plaintiff has asserted claims against Defendants
in the above-captioned case arising out of an alleged sexual
assault by Defendant Eugenio Perez in April of 2016;

WHEREAS, Defendant Eugenio Perez answered the complaint on
May 13, 2019, but did not assert any counterclaims or
crossclaims in his answer;

WHEREAS, Plaintiff has subsequently dismissed or resolved
her claims with all other Defendants, and has attempted to
voluntarily dismiss her claims against Defendant Eugenio Perez
pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), but has not
received a signed copy of the stipulation of dismissal or any
other response from Defendant Eugenio Perez regarding the
Plaintiff's dismissal of her claims against him;

ORDER

19-CV-1155 (KAM) (PK)

IT IS HEREBY ORDERED that, as requested by Plaintiff B.R. in her letter filed on March 5, 2024, all claims asserted by Plaintiff B.R. against Defendant Eugenio Perez in the above-captioned action are dismissed with prejudice, and without costs to any party, pursuant to Fed. R. Civ. P. 41(a)(2).

Plaintiff is respectfully directed to serve a copy of this Order on Defendant Eugenio Perez and note service on the docket no later than March 8, 2024.

SO ORDERED

Dated: March 6, 2024
Brooklyn, New York

A handwritten signature in black ink, appearing to read 'K. A. Matsumoto', is written above a horizontal line.

HON. KIYO A. MATSUMOTO
United States District Judge
Eastern District of New York